

**REMARKS**

This Application has been carefully reviewed in light of the Final Office Action mailed December 18, 2002 and the Advisory Action mailed February 19, 2003. Applicants appreciate the Examiner's consideration of the Application. Claims 1, 9, and 16 have been amended to clarify, more particularly point out, and more distinctly claim inventive concepts previously present in these claims. These amendments are not considered necessary for patentability. Claims 23-25 have been added. Applicants respectfully submit that no new matter has been added by the amendments to the claims or by the new claims. Applicants respectfully request reconsideration and favorable action in this case.

**Section 112 Rejection**

The Examiner rejects Claims 1-22 under 35 U.S.C. § 112. The Examiner rejects Claim 1 because "it is uncertain who performs the 'triggering occurrence'." (Office Action, page 2, paragraph 3(a)(i)). Applicants respectfully note that Claim 1 recites, "in response to detecting a triggering occurrence, dynamically associating a second parent node with the node." As a result, Claim 1 is clear that the second parent node is dynamically associated with the node in response to detecting a triggering occurrence. While Claim 1 may not recite who performs the triggering occurrence, this is not needed for Claim 1 to meet the requirements of 35 U.S.C. § 112.

For at least these reasons, Applicants respectfully request withdrawal of the rejection of Claims 1-22.

**Section 103(a) Rejection**

The Examiner rejected Claims 1-22 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,948,063 issued to Cooper et. al ("*Cooper*"). Applicants respectfully traverse this rejection for the reasons discussed below.

For example, *Cooper* fails to disclose, teach, or suggest:

- (1) redetermining at the node the first service state for the node; and
- (2) "using a state determiner" to redetermine a state for the node (recited in Applicants' independent Claims 1, 9, and 16, as amended).

The Examiner relies on a passage of *Cooper* that it states, "If this operation caused the alarm object to change from a clear 'state' to a persistent 'state', this change in state would then be propagated back up the object model tree to all parent objects from which that alarm object depends." (Column 25, lines 29-33). *Cooper* also discloses a client station having a processor that determines "whether status information associated with each object in the portion of the object model should be altered, and for altering the status information based on" commands received by the client station. (Abstract). *Cooper* further states that, "Hence, if an alarm message was generated by a piece of equipment at the central station, a corresponding operation would be created by the protocol converter to apply to the appropriate destination object in the object model 82." (Column 25, lines 17-20). "Using the addressing technique as illustrated earlier with reference to FIG. 18, this alarm operation would work its way down the object model tree until it reached the destination object, whereupon the operation would be applied to that destination object." (Column 25, lines 25-29). That is, *Cooper* discloses an operation that applies a state to an object, but not redetermining at the node a service state for the node as recited in Applicants' independent Claims 1, 9, and 16, as amended. Therefore, *Cooper* fails to disclose, teach, or suggest, "redetermining at the node the first service state for the node," as recited in Applicants' Claims. Accordingly, Applicants respectfully request that the Examiner withdraws the rejection to Claims 1, 9, and 16.

Moreover, *Cooper* fails to disclose, teach, or suggest, "using a state determiner." As previously stated, *Cooper*'s propagation of a change of state occurs as an alarm operation is being applied to an object. That is, *Cooper*'s change of status is an application of an operation, but not a determination using a "state determiner" as recited in Applicants' Claims 1, 9, and 16, as amended. Consequently, *Cooper* fails to disclose, teach, or suggest, "using a

state determiner," and therefore Applicants respectfully request that the Examiner withdraws the rejection to Claims 1, 9, and 16.

Applicants' dependent Claims 2-8, 10-15, and 17-25 are allowable based on their dependence on the independent Claims 1, 9, and 16, and further because they recite numerous additional patentable distinctions over the prior art. For example, Claims 23, 24, and 25 recite the state determiner as comprising "a service state equation comprising a variable selected from a group consisting of a service state, a broken state, an in-service state, a maintenance state, and a parent state." Because Applicants believe they have amply demonstrated the allowability of the independent claim over the prior art, and to avoid burdening the record, Applicants have not provided additional detailed remarks concerning these dependent claims. Applicants, however, remain ready to provide such remarks if it becomes appropriate to do so.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all the pending claims.

If the Examiner believes a telephone conference would advance prosecution of this case in any way, the Examiner is invited to contact Keiko Ichiye, the Attorney for Applicants, at the Examiner's convenience at (214) 953-6494.

A check in the amount of \$804.00 is enclosed to cover the \$750.00 RCE filing fee and the \$54.00 fee for three (3) additional claims. No other fees are believed to be due, however, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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